

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PRIMARY EXAMINER**

Application of:

Applicant: Donald V. Lightcap, Jr. et al.

Serial No.: 09/128,753

Filed: August 4, 1998

Art Unit: 1616

Docket: DVL-003PAT

Examiner: Alton Pryor

Title: **COMPOSITION, METHOD, AND APPARATUS FOR PROTECTING
PLANTS FROM INJURY CAUSED BY FROST OR FREEZING
TEMPERATURES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO THE FINAL OFFICE ACTION
DATED JANUARY 29, 2003****INTRODUCTORY COMMENTS**

The Amendments to the Claims are in response to the Final Office Action dated January 29, 2003. The Applicant wishes to thank the Examiner for the telephonic conference call interview on June 30, 2003, concerning the subject Application. The participants of the interview were Mark F. Smith (attorney/Applicant) and Alton N. Pryor (Examiner). No exhibit or demonstration was conducted. The discussion was directed to the rejection of claims 1 – 5, 7 – 13, 15 – 27, 35, 42 and 43. An agreement with respect to the claims was not reached. In view of the discussion, certain claims, have been amended as suggested by the Examiner to place them in better order for issuance.

DVL-003PAT

-1-